

RM-8626

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE  
SECRETARY

Secretary  
Federal Communication Commission  
Washington, DC 20554

April 16 1995

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Regarding: Rule Making Petition: RM 8626

As the result of a "ONE-WAY" Amateur Radio transmission from W1AW; April 5 1995, many of the Amateur Radio Brotherhood learned about the above referenced Rule Making petition, filed for the benefit of a "FOR PROFIT" enterprise, not for the good of the Amateur Radio community, as a whole.

From Novice to Silent-Key, an AMATEUR RADIO OPERATOR is, first, a communicator and, second, a receiver of communications. We are interested in what other HAMs are doing and what the FCC is contemplating. The periodic -- monthly, weekly, etc.-- CLUB news communication, provides a service to members and "want-to-be"s, alike.

These "NON-COMMERCIAL", "NOT-FOR-PROFIT", "ONE-WAY" transmissions are part of our life and have been for many years. It is inconceivable that a "FOR-PROFIT" enterprise could sway the members of the Federal Communication Commission to drastically curtail the way we have been doing our thing, since the inception of the Amateur Radio Service.

Thank you for taking the time to consider the Amateur's side of this Petition and I/we request that You deny this RM 8626, filed by Frederick O. Maia --W5YI, publisher of a "for-profit" commercial newsletter.

Respectfully ;  
Earl A. Graham Jr



Amateur Radio Callsign -- N 6 M T G  
8511 Victory Rd.  
La Mesa, Ca., 91941

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875 Bollen Circle  
Gardnerville, NV 89410  
April 7, 1995

FEDERAL COMMUNICATIONS COMMISSION  
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SECRETARY

File number RM-8626

Reed E. Hundt, Chairman  
Federal Communications Commission  
1919 M Street NW  
Washington, DC 20554

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Dear Mr. Hundt:

We are writing to ask that the petition, RM-8626, filed by Frederick O. Maia, W5YI, be denied. Eliminating the rules that permit one-way information bulletins and Morse code practice in the amateur bands below 30 MHz would be a disservice to the amateur radio community. As an example, the W1AW broadcasts provide valuable information and code practice.

Mr. Maia's objections to the existing rules appear inconsequential and vindictive. Also we do not agree with Mr. Maia's statement about code practice and information bulletins being available on computer software and various computer on-line services because not all amateurs have access to computers and on-line services.

Thank you for consideration of our comments.

Sincerely,



Dorothy Uebele, N7MXA



George Uebele, WW7E

cc: Raymond A. Kowalski  
Keller and Heckman  
1001 G Street NW  
Washington, DC 20001

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RM-8626

Michael R. Reynolds, MBA, CPA, W0KIE  
3826 South 92 East Place  
Tulsa, Oklahoma 74145

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FEDERAL COMMUNICATIONS  
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SECRETARY

March 31, 1995

Mr. John B. Johnston, W3BE  
Federal Communications Commission  
1919 M St. NW  
Washington, DC 20554

Dear Mr. Johnston,

My radio club retransmits information bulletins from Newsline, RAIN and IARN twice weekly on two of our 2 meter repeaters. Hams here in Tulsa enjoy hearing all three of these bulletin services. We receive IARN on 20 meters, usually on Monday morning and the others via telephone dial-up..

I am aware from the Internet and the W5YI Report about a fuss between Glenn Baxter, and the hams in Georgia concerning K1MAN one-way transmissions on 3.975 MHz. Personally I think this is much to do about very little. But I guess some might say "If the boats not rocking, it's not moving"

If you decide to consider Fred Maia's petition to amend Part 97.111(b) on one-way transmissions please allow me to offer a significant suggestion: A quid pro quo for elimination of "one-way information bulletins and Morse code practice below 30 MHz. Why not consider loosening up FCC ham restrictions at the same time on amateur one-way transmissions above 30 MHz. Specifically I suggest that the FCC consider allowing amateur licensees to make one way transmissions, including analog music, on a non-interfering, secondary usage basis, above 420 MHz. Such amateur transmissions would be in strict accordance with all existing amateur radio regulations such as 10 minute ID's, no commercial use, no interference, minimum power necessary, etc, etc. With such a scheme, K1MAN and other amateur licensees, could make one-way transmissions, on a non interfering basis, on amateur frequencies far removed from the amateur short wave bands on any subject of interest as long as the program is directed primarily to amateurs..

I'm sure the spark-gappers at the League would throw up arms at so radical a suggestion as this. I believe, however, that the FCC should allow a wide variety of different types of amateur radio transmitting activity. There is still plenty of room in our UHF and above amateur spectrum for different kinds of ham radio fun. Just because "it has never been done before" doesn't mean it can not or should not.. Self-regulation by amateurs is working well, on balance. A further reduction in FCC regulation on amateur radio one-way content can certainly be justified.

Sincerely yours,

*Mike Reynolds*

Michael R. Reynolds, W0KIE

cc: Fred Maia, W5YI

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Robert Reed WB2DIN  
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Jackson, New Jersey 08527

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Tel : (908) 363-2724  
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May 3, 1994

Federal Communications Commission  
c/o Wireless Telecommunications Bureau  
Mr Dave Furth via FAX to (202) 634-7651  
by arrangement with Congressman Smith (R-NJ)

## COMMENTS ON FCC RM-8626

I would like to present for the record the following opinions in opposition of the subject proposal, RM-8626.

This rulemaking proposal seeks to effect remedies in the amateur radio operations of informational bulletins by eliminating them in their entirety on the HF bands. This is far in excess of the needed remedies and would create a loss of training methods of morse code practise and information dissemination to third world amatuer stations of modest means that have been in place for the past 40 years.

The major problem in this matter stems from the fact that the FCC Part 97 regulations governing amateur radio are deliberately of a vague nature so as to leave room for flexibility. This has lead to some attempts to seek as much personal interpretation as can be assumed to foster personal goals.

The FCC needs to better define the meanings og some of its terms rather than seek to change its regulations.

Some specifics leading to the current problems that RM-8626 seeks to correct are.

Informational -vs- opinion as a content of these Bulletin transmissions. Currently there is a tremendous increase in Bulletin broadcasting time for the purpose of opinionated comments by the originators. This fact alone has created the false impression that as long as the subject matter can apply to amateur radio than unlimited use of the amateur spectrum is allowed. The original intention as I unerstand Part 97 is to allow for brief information items of direct interest to amateur operations that would best be served by

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immediate notification. Opinion dissemination could and definitely should be held for normal means of dissemination as newsletters or magazines.

Frequency selection by Bulletin broadcasters next becomes the secondary most important factor in this dispute. It has been widely discussed that the filing of this proposal lies in the current argument over the use of 3975 KHZ by K1MAN as a bulletin frequency. It should be obvious to everyone that there has always been a selection of frequencies for regular schedules and nets on 100, 50, 25 and 10 KHZ spaced frequencies ever since amateurs sought to contact a friend for a 2nd conversation. The attempt to acquire one of what is considered a "premium frequency" for sole intent of establishing a broadcast channel which should be reserved for these broadcasts goes against all established amateur radio accepted procedures generated over years of personal agreements between amateurs. Certainly one-way broadcasts should not take any claim over established 2-way use as the 2-way use is the intended use of amateur radio and any use of frequencies for information broadcasting can only be said to be tolerated under the rules for the benefit it may serve the amateur public. A consideration in the area might be to limit bulletin transmissions to the upper 10 KHZ of each sub-band for the type of transmission.

Length of Broadcast is also of concern. It has always been the expectation of amateurs that these Bulletin would be a brief informational matter. Past experiences with the ARRL Bulletins transmitted by W1AW show them to be 15 minutes in length but that slower CW or multiple digital modes may take slightly longer. The broadcasts of K1MAN have become a troublesome matter because there are times where literally "hours" of continuous broadcasting takes place. Using the voice format of Bulletins, the Newslines Bulletins have been an excellent example of just how much information can be placed into a 15 - 20 minute well laid out format. Should HF bulletin broadcasting be allowed to remain, the FCC will have to determine a maximum length of time for each series of bulletin transmissions and how often they may be placed on the air. A further aid would be for a Bulletin Station to be required to submit for prior FCC approval a schedule of its bulletins before being able to transmit them. Adding a Bulletin class of station similar to repeaters would not be out of the question.

Looking further into the definition of the term "broadcast" leaves me with concerns over the type of presentations on the air presently. In my opinion, the current voice type of bulletins are attempts by amateurs associated with the news broadcasting industry to bring their talents to our amateur

radio frequencies in an improper manner. I don't believe that the "remote correspondent" technique as a technique of public broadcasting was ever supposed to be a feature of amateur bulletin transmissions. I interpret Part 97 in this matter that these stations are in violation of sending a 3RD Party message without logging or delivery to another station. A report received from and attributed to another individual other than the sender of the bulletin has been made and in the cases where the recorded audio is of an amateur radio operator who so identifies himself as such is probably to be considered a retransmission of 3RD Party traffic. It does not have to originate over the radio waves, but merely be the words of a person other than the Control Operator of the bulletin. Most amateur messages are originated in person or writing. The direct voice relay of these messages is merely a use of modern technology.

In review, I believe the FCC has the powers within Part 97 to regulate these station effectively, but has been hampered by the offending amateurs use of legal tactic to stall FCC actions or merely ignore instructions.

While I and most amateurs have long heard the reports that the FCC is underfunded and that policing of our bands is up to us, it does absolutely no good for us to really bother if when problems are brought to the FCC there is no reaction to complaints.

The ARRL has just written a public message calling the FCC's Field Operations and Enforcement actions "dismal."

I sent complaints to the the New York City E.I.C. never to be answered only to 6 months later complain to President Clinton and only 8 months after that did I get a letter from the E.I.C. that showed he never ready any of the 10 or more letters of complaint sent to his office.

The process of this rule making request in RM-0626 is not because there aren't rules to govern this subject, but that truly there are no teeth in the FCC's bite and now even some aren't scared of its bark either.

Never in all my 33 years as an amateur would I ever tread near the violations being displayed so openly in public by any of the individuals causing this conflict.

Respectfully Submitted,

  
Robert Reed, WB2DIN